



Security Council

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Note verbale dated 23 May 2003 from the Permanent Mission of Tajikistan to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Tajikistan presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) and has the honour to transmit herewith the report of the Republic of Tajikistan on the implementation of Security Council resolution 1455 (2003) (see annex).



Annex to the note verbale dated 23 May 2003 from the Permanent Mission of Tajikistan to the United Nations addressed to the Chairman of the Committee

[Original: Russian]

Report of the Republic of Tajikistan to the Security Council Counter-Terrorism Committee in accordance with paragraph 4 of Security Council resolution 1455 (2003)

Introduction

The Republic of Tajikistan supports existing international agreements relating to various aspects of international terrorism, including Security Council resolution 1455 (2003) on combating terrorism and considers them the bases for international cooperation in counteracting international terrorism. Aware of the threat of international terrorism, Tajikistan firmly and unreservedly condemns terrorism in all its forms and manifestations.

The resolution adopted by the Security Council is a significant contribution to efforts to increase partnership on the part of international structures in conducting a general strategy to combat terrorism and requires stepped-up efforts in carrying out the active measures adopted with the aim of preventing activities that help to maintain and develop terrorism at the national as well as the regional and international levels.

In the current world situation, the most effective way to combat terrorism is to use State legal instruments in order to prevent the use of sources for financing terrorism, funds and other resources utilized for terrorist activities and also by organizations and persons maintaining links with established physical and juridical persons that are directly or indirectly connected with the Taliban movement and international terrorist organizations and similar forces. Eliminating the social basis for terrorism is a priority task in combating terrorism at the current stage.

The experience of Tajikistan and other countries in counteracting international terrorism shows that the growing threat of terrorism urgently underscores the need to strengthen coordinated action by international entities (States) in cooperation in dealing with the root causes of terrorism since its social basis will grow in geometric progression.

In order to ensure the implementation of the paragraphs in the United Nations resolution in question, the detection and blocking of the channels for financing the activities of terrorist organizations are still an important measure. In this regard, the Republic of Tajikistan advocates consolidating the efforts of the international community in this area.

The Government of the Republic of Tajikistan hereby submits its national report on measures taken to comply with the requirements of Security Council resolution 1455 (2003), taking into account the recommendations drawn up by the Counter-Terrorism Committee.

Paragraph 1 of Security Council resolution 1455 (2003)

1. What measures had been taken in order to enhance measures adopted to prevent and cut off the financing of terrorist acts?

Within the framework of the implementation of Security Council resolution 1373 (2001), the Ministry of Security of the Republic of Tajikistan conducts operational searches of organizations and persons suspected of involvement in terrorist activities in order to uncover and block possible channels for the financing of terrorism and to detect and suppress in good time illegal migration.

In accordance with decision No. 506 of the Government of the Republic of Tajikistan of 9 November 2001 on the implementation of normative legal acts of the Republic of Tajikistan, the National Bank of the Republic of Tajikistan, in accordance with Security Council resolution 1373 (2001), adopted on 28 September 2001, took a decision and issued the appropriate order No. 21/62-2559 of 15 November 2001 requiring commercial banks to freeze funds and other financial assets or economic resources of persons and organizations who directly or indirectly commit or attempt to commit terrorist acts and also participate in the commission of terrorist acts or assist in their commission.

At the present time, a treaty on counteracting the legalization (laundering) of illegally acquired income is being prepared for signature at the level of the heads of member States of the Commonwealth of Independent States (CIS) in order to strengthen measures to combat the financing of international terrorism.

Furthermore, in accordance with note No. 205/2 of 1 April 2002 from the Embassy of the United States of America, the National Bank of the Republic of Tajikistan issued order No. 21/20-1077 of 3 May 2002 requiring commercial banks to close any accounts in their institutions belonging to the Al-Alqsa Martyrs Brigade and to take urgent measures to freeze their assets.

Traditional criminal activity — the smuggling of and trafficking in narcotic drugs and weapons — is one of the main channels for the self-financing of terrorism. In this regard, Afghanistan, where an unstable military and political situation continues to exist, remains, as in the past, the basic channel for bringing weapons and drugs into the Republic of Tajikistan. In fulfilment of the requirements of Security Council resolution 1373 (2001) for preventing the unimpeded movement of terrorists or terrorist groups throughout the Republic's territory, units of the Tajikistan Government's Committee for the Defense of the State Border, together with the Group of Border Troops of the Russian Federation Federal Border Service in the Republic of Tajikistan, are effectively monitoring at passage points the departure and entry of persons for whom entry into the country is prohibited under the established procedure. The organs of the Republic's Ministry of Security, Ministry of Internal Affairs, the Narcotic Drug Control Agency under the President of the Republic of Tajikistan, and the Ministry of State Revenue and Tax Collection carry out operational searches aimed at detecting narcotic drugs in order to block channels for the transport of narcotic substances and suppress drug trafficking linked to terrorist organizations. The operational and physical protection of vulnerable sections of the Tajik-Afghan border has been stepped up. In areas where violators may cross the State border, additional posts have been set up and strengthened, and the regime governing entry, departure and the transport of goods through passage checkpoints situated on the State border with the Islamic State of

Afghanistan has been placed under stricter control in order to prevent the possible infiltration of terrorist groups and the import of substances for carrying out subversive terrorist acts. In 2002, the operation "Border-Barrier" was conducted in the Republic in order to block channels for the transport of narcotic substances and to suppress drug trafficking linked to terrorist organizations.

In accordance with the provisions of Security Council resolution 1373 (2001) on preventing the movement of terrorists, prohibiting their entry into the country and also strengthening measures to monitor the issuance of passage documents and prevent their falsification, Tajikistan put into operation in November and December 2002 the "Zapretniki" interdepartmental database system as part of the implementation of joint measures by the CIS member countries aimed at counteracting international terrorism.

The law enforcement agencies of the Republic of Tajikistan, in accordance with paragraph 8 (c) of Security Council resolution 1333 (2000) are carrying out stepped-up actions to detect and identify citizens of the Republic of Tajikistan detained by the anti-terrorist coalition in the Islamic State of Afghanistan on suspicion of involvement in the Taliban movement and Al-Qaida and members of the organization, the Islamic Movement of Uzbekistan, who are linked to these terrorist organizations and are being kept in the Guantanamo (Cuba) prison.

5. What legislative acts and normative provisions have been adopted to implement and strengthen measures for preventing violations of the measures referred to in paragraph 1 of this resolution?

The Parliament of the Republic of Tajikistan is analysing legislation in the field of counteracting organizations and persons whose activities aim at the commission of terrorist acts, including in the territory of other countries, by trafficking in and producing weapons, ammunition, explosive substances and explosive devices, combating mercenarism, and also establishing criminal liability for terrorist crimes.

The Republic's legislative body adopted a new Act on Refugees, which provides for restrictions in the granting of refugee status, particularly to persons in respect of whom there is information on possible involvement in terrorist organizations or drug-trafficking structures and persons guilty of committing acts that run counter to the purposes and principles of the United Nations, the Organization for Security and Cooperation in Europe and so forth.

In accordance with article 3 of the Act of the Republic of Tajikistan on Refugees, persons in respect of whom there is information on possible involvement in international terrorist organizations or drug-trafficking structures may not be recognized as refugees.

Within the framework of the Commonwealth of Independent States, the Government of the Republic of Tajikistan actively participated in the preparation and adoption of the draft CIS member States' programme to combat international terrorism and other manifestations of extremism for 2003-2004. Through a branch of the CIS Anti-Terrorist Centre for the Central Asian Region, Tajikistan's Ministry of Security has reached agreements with the National Security Service of the Kyrgyz Republic and the National Security Committee of the Republic of Kazakhstan on coordinating a set of measures to block a channel for the illegal migration of international terrorists in the Central Asian region.

With a view to improving and harmonizing legislation on counteracting terrorism in all its forms and manifestations, draft model acts on the defence of special technical equipment for receiving information, on counteracting political extremism and on amending and supplementing the Model Act on Combating Terrorism were drawn up within the framework of the CIS countries with the participation of Tajikistan and are being agreed in the country's Parliament.

In order to develop more effective legal measures and strengthen national legislative acts on the problems of counteracting international terrorism, representatives of the Majlis-i Oli (Parliament) of the Republic of Tajikistan and the country's agencies (entities) engaged in combating terrorism actively participated in a number of practical scientific conferences, forums and round tables, including international ones with the participation of parliamentary delegations from member States of the Community of Independent States, the Organization for Security and Cooperation in Europe and the Council of Europe in St. Petersburg, the Russian Federation.

The Republic of Tajikistan also concluded an agreement on cooperation in counteracting international terrorism with Turkey, France, the United States of America, Pakistan and Poland. Together with other CIS States, Tajikistan signed a protocol approving the regulations governing the procedure for organizing and conducting joint anti-terrorist measures in the territories of the CIS member States in October 2002 in Chişinău, the Republic of Moldova.

In order to set up an effective legal mechanism and strengthen cooperation among the competent agencies of CIS member States in counteracting international terrorism within the framework of the Commonwealth's Anti-Terrorist Centre, Tajikistan participated in drawing up the documents on the general concept underlying the activities of the CIS Anti-Terrorist Centre for the period up to 2005 and the regulations concerning the Centre's information bulletin.

6. What measures are being taken to investigate the actions listed in this subparagraph?

Persons who are engaged in terrorist activities, provide assistance to terrorists or terrorist organizations or propagandize their activities are liable under the Penal Code of the Republic of Tajikistan.

In order to prevent in a timely manner terrorist activities in the Republic of Tajikistan, the activities of the underground radical extremist party Khizb-ut-Takhrir are closely monitored by the Tajik authorities and also jointly with the CIS law enforcement structures in member States.

As a result of operational search and investigative measures carried out by security agencies, 16 leaders and activists of the aforementioned party were detained and arrested, and 60 diskettes, 2 copying machines, 5 binding machines and more than 20,000 copies of subversive and terrorist-extremist literature were confiscated in the first quarter of 2003 in Tajikistan. Investigative bodies instituted six criminal cases under articles 187 and 307 of the Criminal Code of the Republic of Tajikistan. Six members of the above-mentioned extremist party who maintained active links with representatives of the Islamic Movement of Uzbekistan, which cooperates with Al-Qaida and the Taliban movement, were placed in preventive detention.

Additional information on the implementation of the provisions of Security Council resolutions 1373 (2001) and 1455 (2003)

In view of the continuing challenges and threats posed by international terrorists to the security of CIS member States and in order to coordinate efforts, strengthen cooperation and develop coordinated measures to combat international terrorism, the representatives of the "power" structures of the Republic of Tajikistan are continuing to participate in joint operational and tactical anti-terrorist exercises. At the present time (April 2003), the appropriate units for the Ministry of Defence of the Republic of Tajikistan are participating in the joint command-staff and battalion tactical exercise "Commonwealth Southern Shield-2003" for rapid deployment forces of the member countries of the CIS Anti-Terrorist Centre that is being conducted in our Republic.

In order to ensure greater compliance with the requirements of Security Council resolution 1373 (2001), the Republic of Tajikistan is conducting bilateral and multilateral cooperation to combat terrorism on the basis of:

- The 1998 Agreement on Cooperation by the Member States of the Commonwealth of Independent States in Combating Crime;
- The Programme of the Member States of the Commonwealth of Independent States for Combating International Terrorism and Other Manifestations of Extremism up to 2003;
- The Interstate Programme of Joint Measures for Combating Crime for the period 2000-2003;
- Other international agreements in the area of combating terrorism and other manifestations of extremism.

In order to enhance effectiveness and competence in combating international terrorism, the representatives of the executive branch, law enforcement agencies and the special services of the Republic of Tajikistan participated in various conferences and meetings held under the aegis of the Organization for Security and Cooperation in Europe, the United Nations Office on Drugs and Crime as well as meetings conducted within the framework of the Bishkek Group, the Shanghai Cooperation Organization, the Treaty on Collective Security of the Member Countries of the Commonwealth of Independent States and other activities dealing with issues related to combating terrorism. In the first 10 days of February 2003, representatives of the Republic of Tajikistan participated in an OSCE/ODIHR seminar held in London on technical assistance in implementing Security Council resolution 1373 (2001).

Four citizens of the Republic who were the object of an international search for committing grave crimes, including terrorist crimes, were detained and extradited to Tajikistan with the help of its Russian partners during the course of joint operational search activities with law enforcement agencies of the Russian Federation.

In order to prevent possible terrorist acts, the competent agencies of the Republic of Tajikistan developed and implemented measures to enhance the protection of sites subject to heightened technogenic and ecological danger. Measures to step up participation by the general public and the mass information media in counteracting terrorist propaganda were also developed.

The law enforcement agencies of the Republic of Tajikistan are cooperating with the corresponding agencies of other States in order to provide further training to key personnel dealing with questions relating to combating terrorism. For example, in February 2003, six staff members of a special unit to combat terrorism in the Ministry of Security of the Republic of Tajikistan were sent for training (a special course) to the United States of America.
